



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Ken Hanscom)
Serial No.: 09/930,120) Art Unit
Filed: August 14, 2001) Unknown
For: A TAPE GUIDE FOR REDUCING)
LATERAL TAPE MOVEMENT)
Examiner: Unknown)
Attorney Docket: Q00-1027-US1 / 11198.70)

RECEIVED
JAN 13 2004
OFFICE OF PETITIONS

Petition Pursuant to 37 CFR § 1.181
for Entry of Previously Submitted Response
and Revival of Abandoned Application

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Abandonment under 37 CFR 1.53(f) or (g), transmitted herewith is a copy of the original Response to Notice to File Missing Parts of Application ("Response") and the Transmittal that were properly mailed on November 20, 2001 to "Assistant Commissioner for Patents, Washington, D.C. 20231". The Applicant respectfully requests entry of the previously submitted Response, and revival of the instant patent application. As provided below, the necessity for filing the instant Petition is not due to any fault on the part of the Applicant or his representatives. Accordingly, no fee for the instant Petition is required.

A copy of the Response is being forwarded due to the possibility that the original Response may have never reached its intended destination at the U.S. Patent & Trademark Office ("Patent Office"), despite being timely filed. For example, on information and belief, the mailing labels used to address the envelope containing the response may have been irreparably altered by scanning machinery that was used by the U.S. Postal Service and/or the Patent Office at or around the time the Response was originally mailed. More specifically, on November 20, 2001, Charlotte Bowers of Quantum Corporation ("Quantum") deposited the Response in a First Class Mailbox of the United States Postal Service located on 450 Abel Street, Milpitas, CA 95035. A certificate of mailing certifying the mailing date of November 20, 2001 was included in the original Response. A copy of the certificate of mailing is included in the Response attached to the Declaration of Charlotte Bowers filed concurrently herewith.

Thus, a copy of the Response is being resubmitted along with check number 7951 in the amount of \$1338.00 in place of the request to debit Quantum's Deposit Account as provided in the original Response. Additionally, we are resubmitting a copy of the Patent Assignment, a copy of the Notice to File Missing Parts of Non-Provisional Application, and a copy of the Declaration for Patent Application, all of which were originally mailed on November 20, 2001.

If this instant Petition is granted, the Applicant respectfully petitions that the Response be considered filed as of the original mailing date of November 20, 2001. The Applicant submits that the original Response not reaching its final destination at the Patent Office was not due to any fault of the part of the Applicant, the Assignee of the present application or the attorneys for same. As such, the Applicant believes that no fee for filing

the instant Petition is required. If, however, the Patent Office determines that the instant Petition requires that a fee for filing the Petition be paid, the Applicant hereby authorizes the Patent Office to withdraw the required fee from Deposit Account No. 50-1141.

DATED this the 17th day of July, 2003.

Respectfully submitted,

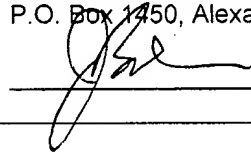


JAMES P. BRODER
Attorney for Applicant
Registration No. 43,514

THE LAW OFFICE OF STEVEN G. ROEDER
5560 Chelsea Avenue
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Telephone: (858) 456-1951

CERTIFICATE OF MAILING UNDER 37 CFR §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this the 17th day of July, 2003.



JAMES P. BRODER, Attorney for Applicant--Registration No. 43,514



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/930,120	08/14/2001	Ken Hanscom	Q00-1027-US1

CONFIRMATION NO. 9955

Robert A Saltzberg
Morrison and Foerster LLP
425 Market Street
San Francisco, CA 94105-2482

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JUN 02 2003

MORRISON & FOERSTER

ABANDONMENT/TERMINATION
LETTER



OC000000010105151

Date Mailed: 05/23/2003

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 09/26/2001.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Ken Hanscom)
Serial No.:	09/930,120)
Filed:	August 14, 2001) Art Unit
For:	A TAPE GUIDE FOR REDUCING LATERAL TAPE MOVEMENT) Unknown
Examiner:	Unknown)
Attorney Docket:	Q00-1027-US1 / 11198.70)

DECLARATION OF CHARLOTTE BOWERS

Mail Stop Petition
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Charlotte Bowers, declare as follows:

1. I am a Paralegal for Quantum Corporation ("Quantum"), assignee of the above-referenced patent application.

2. On or about October 3, 2001, I received a Notice of Missing Parts ("Notice") from the United States Patent & Trademark Office, requiring submission of the filing fee, the oath or declaration, and a copy of the Notice to File Missing Parts of Nonprovisional Application on or before November 26, 2001.

3. On November 20, 2001, I deposited the Response to Notice to File Missing Parts dated September 26, 2001 ("Response") for the above-referenced Application on behalf of Quantum in a mailbox for the United States Postal Service located at 450 Abel Street, Milpitas, CA 95035. The Response was in an envelope as First Class Mail, postage prepaid. The Response included a copy of the Notice to file Missing Parts, an executed Declaration, an Assignment Recordal Sheet, an executed Assignment, authorization for the United States Patent and Trademark Office ("USPTO") to withdrawal the filing fee from Quantum's deposit account, and a return receipt postcard which was believed to be fully responsive to the Notice. A true and accurate copy of the Response is attached hereto as Exhibit "A".

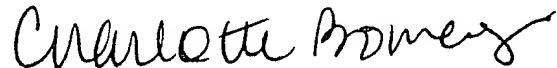
4. During this same general time period, it was the custom and practice of Quantum Corporation to use heat-sensitive mailing labels. However, also during this time, upon information and belief, the U.S. Postal Service was using radiation to scan mail being sent to the United States Government Offices, such as the USPTO.

5. On information and belief, the radiation used by the U.S. Postal Service and/or the USPTO may have altered or otherwise adversely impacted the heat-sensitive mailing labels that I used to mail the Response, rendering the mailing labels ineffective. Thus, it is now believed that, through no fault of Quantum, the Response was never properly received by the appropriate USPTO department, possibly resulting in abandonment of the application. On this basis, Quantum submits that no fee is required for the submission of the instant petition.

I declare further that all statements made herein of my own knowledge are true; that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application and any registration resulting therefrom.

Dated this 7th day of July 2003.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Charlotte Bowers".

CHARLOTTE BOWERS
Paralegal for Quantum Corporation